

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

RAY WILLIAMS,

Plaintiff,

-v.-

Civil Action No.
9:04-cv-257 (GLS/DRH)

D. INGRAHAM, Correction Officer

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

RAY WILLIAMS
Plaintiff Pro Se
Last Known Address:
No. 99-A-6603
Camp Pharsalia
496 Center Road
South Plymouth, New York 13844

FOR THE RESPONDENT:

HON. ANDREW M. CUOMO
Attorney General for the State
of New York
Attorney for Defendant
The Capitol
Albany, New York 12224-0341

RISA L. VIGLUCCI, ESQ.
Assistant Attorney General

GARY L. SHARPE,
U.S. DISTRICT JUDGE

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge David R. Homer, duly filed August 20, 2007. Following ten days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

ORDERED, that the Report-Recommendation of Magistrate Judge David R. Homer filed August 20, 2007 is ACCEPTED in its entirety for the reasons state therein, and it is further

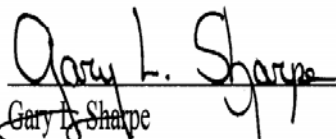
ORDERED, that the plaintiff's motion for summary judgment (Dkt. No. 32) is DENIED, and it is further

ORDERED, that the Defendant's cross-motion for summary judgment (Dkt. No. 35) is GRANTED, and it is further

ORDERED, that the Clerk of the Court is to enter judgment in favor of the Defendant and close this case.

IT IS SO ORDERED

Dated: September 14, 2007
Albany, New York



Gary L. Sharpe
U.S. District Judge